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Attorneys for Defendants  
H. Ravi Brar, Susie Herrmann, and Murray Jones

[Additional Counsel on Signature Page]

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA

SPECIAL SITUATIONS FUND III QP,  
L.P., SPECIAL SITUATIONS CAYMAN  
FUND, L.P., WOLVERINE FLAGSHIP  
FUND TRADING LIMITED, PINE RIVER  
MASTER FUND Ltd. and NISSWA  
ACQUISITION MASTER FUND Ltd.,

Plaintiffs,

v.

H. RAVI BRAR, SUSIE HERRMANN and  
MURRAY JONES

Defendants.

Case No. 3:14-CV-04717-SC

**NOTICE OF SETTLEMENT AND  
STIPULATION AND ~~[PROPOSED]~~ ORDER  
REGARDING RESPONSE TO AMENDED  
COMPLAINT**

Judge: Hon. Samuel Conti

1 WHEREAS, on October 23, 2014, Plaintiffs Special Situations Fund III QP, L.P. (“SSF  
2 III”), Special Situations Cayman Fund, L.P. (“SSF Cayman” and, with SSF III, “SSF”) and  
3 Wolverine Flagship Fund Trading Limited (“Wolverine”) filed a complaint in the above  
4 captioned action (the “Complaint”) (Dkt. 1);

5 WHEREAS, on December 12, 2014, Defendants H. Ravi Brar, Susie Herrmann, and  
6 Murray Jones (collectively, “Defendants”) filed a motion to dismiss the Complaint (Dkt. 18),  
7 which the parties fully briefed;

8 WHEREAS, on March 26, 2015, the Court issued an Order granting in part and denying  
9 in part Defendants’ Motion to Dismiss, and allowing SSF and Wolverine to file an amended  
10 complaint (the “Order” (Dkt. 29));

11 WHEREAS, on July 22, 2015, Wolverine and SSF, along with Pine River Master Fund  
12 Ltd. (“Pine River”) and Nisswa Acquisition Master Fund (“Nisswa”) filed a First Amended  
13 Complaint (Dkt. 34) (Pine River, Nisswa, SSF, and Wolverine are collectively referred to herein  
14 as “Plaintiffs”);

15 WHEREAS, on July 7, 2015, the Court issued an Order granting a stipulation setting the  
16 deadline for Defendants to file and serve their response to Plaintiffs’ amended complaint no later  
17 than September 4, 2015 (Dkt. 33);

18 WHEREAS, the parties have settled the above captioned matter and have executed a  
19 settlement agreement, which contemplates that Plaintiffs will fully and finally dismiss this action  
20 with prejudice no later than September 28, 2015;

21 NOW, THEREFORE, IT IS HEREBY STIPULATED AND AGREED among the Parties,  
22 through their respective counsel, as follows:

23 1. In light of the parties’ settlement, Defendants need not presently respond to  
24 Plaintiffs’ amended complaint (Dkt. 33).

25 2. The Court shall set a Case Management Conference for October 23, 2015, or such  
26 date as is convenient for the Court, in the event a dismissal is not filed in advance of that date as  
27 contemplated under the parties’ settlement agreement.

28

1 Respectfully submitted,

2 IT IS SO STIPULATED.

3  
4 Dated: September 3, 2015

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7  
8 /s/ Joseph B. Woodring

Joseph B. Woodring (272940)

9  
10 Attorneys for Defendants  
H. Ravi Brar, Susie Herrmann, and Murray Jones

11  
12 Dated: September 3, 2015

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14 /s/ Steven M. Hecht

15 Steven M. Hecht (*appearance pro hac vice*)

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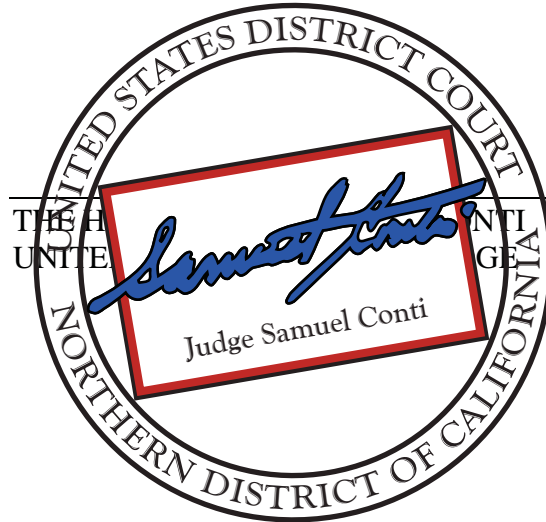
19 Attorneys for Plaintiffs  
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20 Cayman Fund, L.P., Wolverine Flagship Fund Trading  
21 Limited, Pine River Master Fund Ltd., and Nisswa  
22 Acquisition Master Fund  
23  
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26  
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**ORDER**

Pursuant to the stipulation of the parties, and light of the parties' settlement, Defendants need not presently respond to Plaintiffs' amended complaint (Dkt. 33). The Court sets a Case Management Conference for October 23, 2015, or such date as is convenient for the Court, in the event a dismissal is not filed in advance of that date as contemplated under the parties' settlement agreement.

IT IS SO ORDERED.

Dated: 09/04, 2015



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